

# **INDIANA DATA AND COMMUNICATIONS SYSTEM**

## **COMMITTEE MEETING**

June 4, 2008

The IDACS Committee met on Wednesday, June 4, 2008 at 10:00 a.m. at Indiana State Police Communications Division, 8500 East 21<sup>st</sup> Street, with the following members in attendance:

Major John Clawson  
Major Doug Shelton  
Captain Michael White  
Lieutenant Mark Carnell  
Angela Ferguson  
Brian Maxwell

D. Michael Paxton  
Don Kottlowski  
Melissa Farthing  
Ken Wilson  
Vivian Nowaczewski

Advisory members present:

Senior Trooper Eric Garceau  
Senior Trooper Brian Millard

### **OPENING COMMENTS**

Chairman John Clawson welcomed everyone and recognizing a quorum called the meeting to order at 10:00 a.m.

Chairman Clawson mentioned that one of the issues mentioned from the last meetings was about operators with lengthy arrest records and issues with Moral Turpitude. The applicants will now be looked at more seriously. Before, as long as the applicants did not have a felony conviction, they were approved. Given some of the applicants recently, they will be rejected based on Moral Turpitude.

Lieutenant Mark Carnell, Legal Counsel for the IDACS Committee, added that Chairman Clawson and Captain White contacted him to ask what does constitute "Moral Turpitude". Indiana Administrative Code rules govern what we can do as a Committee to decide the suitability of applicants to access IDACS information. The Administrative Code requires the individual to have good judgment, physical and mental vigor, ability to cooperate with others and specifically requires applicants be rejected who have evidence in their past of Moral Turpitude, disrespect for law or unethical dealings. Indiana case law defines the term "Moral Turpitude" mostly in the lawyer context with discipline from the Indiana Supreme Court. It is any crime of dishonesty, crime that involves personally, morally reprehensible conduct (e.g. Sex crimes), disrespect for law (e.g. someone with a very lengthy traffic record of minor offenses including bad driving history) is sufficient reason to reject for access to IDACS information. If the evidence is convincing to the viewer (Chairman Clawson), an applicant can be rejected.

Also as far as the procedures, Chairman Clawson has been appointed by Superintendent Whitesell as his designee and he has the authority to make a final decision. His decision

according to Administrative Code is not reviewable; but from Lieutenant Carnell's experience everything is reviewable and possible to be taken to court. However, this being Administrative Law, and if procedures are followed, and if we are not acting in an arbitrary and capricious manner; the court will review to make sure we are following the procedures and back Chairman Clawson's decision.

Chairman Clawson asked if there were any questions related to Moral Turpitude. There was a question from the audience; if an individual has been found to have Moral Turpitude after being IDACS certified; and if there is a Review Board they can go to if agencies feel there is a need to address the issue. André Clark responded that currently there is no requirement under either IDACS rules or Administrative Code to rerun IDACS Certified Operators. If an Agency chooses to rerun an Operator and finds questionable conduct; they then can raise the question to the Committee to reconsider if the person should be an operator or not?

Chairman Clawson added it is incumbent upon Agency heads to make the decision. He encourages dealing with the person directly. If information is found that someone has misused their powers, they should be dealt with. The Agency is disciplined or sanctioned if violations are found. If a Moral Turpitude issue arises later and under compelling circumstances, the Operators will be seriously looked at. If there are a multitude of offenses or misdemeanors, the applicants will not be approved any more. The Legal Section is assisting IDACS to have a letter drafted to be sent back to agencies denying the applicant.

### **CORRECTIONS/ADDITIONS TO MINUTES OF THE March 5, 2008 MEETING**

There were no corrections or additions made to the minutes of the last meeting. Chairman Clawson entertained a motion to accept the minutes as written. Major Doug Shelton moved the motion and Brian Maxwell seconded it. The motion passed unanimously.

### **OLD BUSINESS**

(Publication of Lesson Plans on the Website)

Vivian Nowaczewski gave an update that Lesson Plans are available on the Omnixx site but not on the IDACS Website through an agreement and decision by the Information Security Officer (ISO), Michael Paxton.

Michael Paxton added that looked at the question of publishing Lesson Plans on the Internet, World Wide Web and recognized that the information in the Lesson Plan is borderline of Sensitive but Unclassified realm which the FBI CJIS Security Policy, NCIC Operating manual, III Operating manual and NLETS Technical manual fall. Since the Lesson Plans document the procedures to use the system and include screen shots; caution was the better choice in this case to have the Lesson Plan added under the same umbrella of Omnixx. If an agency does not have a device connected to Omnixx, they can contact IDACS directly and a copy of the Lesson Plan will be sent to them in a physical media.

André Clark also confirmed that FBI, CJIS and NLETS have asked them not to post their documents on the Internet. Hence, that decision is being followed. Also, a lot of questions from the field have been received about how to print the Lesson Plan from Omnixx. That is going to be changed to be able to print the entire document rather than section by section.

There was a question from the audience as to how often will the Lesson Plans change. André Clark responded that they could change very often. Michael Paxton mentioned that since the Lesson Plans are very large files, the only parts that could be printed would be the updated parts. He also suggested printing the documents during low traffic time since it would take a long time to print on the current 56k bandwidth.

Chairman Clawson added that he has heard of problems at the Area Meetings of not having manuals presented at the classes anymore. With the Print Shop closing and the high cost for printing the Lesson Plan manuals has added to the fiscal crunch. Slowly but surely, other cost saving approaches will be applied to provide service and work efficiently.

## **NEW BUSINESS**

### **Omnixx v3.1 and Windows Vista**

Michael Paxton mentioned that recently an agency contacted IDACS and mentioned they had replaced a device and their new computer had Windows Vista preloaded on it. Currently, Datamaxx does not certify Windows Vista as a proper Operating System to run Omnixx. A test was done by the Indiana State Police Programmers on a spare device on which Windows Vista and Omnixx were loaded. Basic tests were done by bringing up Omnixx, Trainer, Force, Console, BMV Query and Java was updated. From what can be told, it worked okay. For now and up to June 30, 2008, the IDACS section will help as much as possible since Datamaxx has to advise by the end of June if they will support Vista or not. Also, that Microsoft will not be allowing retailers to sell any computer without Vista effective June 30, 2008.

## **IDACS COMMITTEE CHAIRMAN REPORT**

### **New Terminal Agencies Approved**

Twelve (12) new Terminal Agencies are approved to go on the system since the last meeting. The list is attached.

### **Terminal Operators Approved**

After receiving favorable recommendations from the System Coordinator, the Chairman approved 22 IDACS operators with a prior arrest record. The decision was based on there being no felony convictions.

## **IDACS Coordinator Report**

Vivian Nowaczewski mentioned that there were a couple things she needed to touch upon.

First, was from the IDACS Committee Meeting held on March 5, 2008, where it was mentioned that it was a requirement for new Operators to receive the 40-hour hands-on training before being sent to IDACS classes. The concern is there are still a lot of students being sent without the 40-hour required training. Ms. Nowaczewski reiterated that students will be given the option to leave the class to complete the required 40-hour training before attending the class. The students at least need to be trained to go through the screens, make simple inquiries, and, not come to class cold. The requirements to attend the IDACS class are posted on the IDACS website under Training and changes will be made time to time. If there are any questions, please call.

A lot of calls were received about Validations for the month of May. Ms. Nowaczewski suggests to run an Inquiry on the entry before validating the record to see what is happening. If the record is validated it cannot be located. About 20 calls were taken where a lot of the records were already located.

Also, Trainer Troy Scott for Area III and Area V has retired. Hence, a lot of classes have been combined and the schedule has been revamped. Also, classes that are not filling up will be combined with other classes like in Cass County and Lafayette, but agencies will be contacted ahead of time to be informed about the combining.

### **IDACS Security Officer's Reports**

**Sr. Trooper Eric Garceau** – He issued two (2) Notices of Violations. Two (2) to IMPD for Third Hit Notice and one (1) verbal warning to Brown County for modifications on entries.

**Sr. Trooper Brian Millard** – He issued five (5) Notices of Violations. St. John Police Department and Lowell Police Department for III request for improper non-criminal justice information, Highland Police Department for information for non-criminal justice purposes, Anderson Police Department for no supporting documentation for III information and Gary Police Department for no supporting documentation, extended delays on entries and validation violations.

### **AREA REPRESENTATIVE'S REPORTS**

**Area I** Angela Ferguson – Ms. Ferguson mentioned that Area I Representative elections were held on May 1, 2008 and she was reelected.

**Area II** Melissa Farthing – Ms. Farthing mentioned that the Spring meeting was held on April 16, 2008 and it was very good. There were representatives in attendance from 20 Agencies. Additional agencies will be contacted to be invited to future meetings. The meeting covered topics on the Omnixx upgrade, III's and Training, and, new Operators were introduced.

**Area III** Brian Maxwell – The Area III Spring meeting will be held on June 20, 2008 at 11:00 a.m. EST at Gibson County Community Corrections Building Meeting Room in Princeton, IN.

**Area IV** Sergeant John Wall – Sergeant John Wall was unable to join the meeting due to the weather issues he was dealing with in his area.

**Area V** Ken Wilson – Mr. Wilson added that the Spring meeting was held on April 4, 2008 with only seven (7) people in attendance and that Ms. Jill Schmidt was elected as the Area V representative.

### **OTHER NEW BUSINESS**

Chairman John Clawson welcomed and introduced the new Area V representative Ms. Jill Schmidt of the Indiana State Police Indianapolis District (District 52) to all present at the meeting. He also introduced Sherif Lee, Programmer in the Systems and Programming Section of the Indiana State Police. Sherif Lee works with Michael Paxton and Lenora Price on IDACS and Chairman Clawson is pleased with his progress.

### **GENERAL DISCUSSION**

Mr. Kottlowski mentioned to look for announcements in the new IDACS Quarterly Bulletin which will have a Section on:

- Communications Training Schedule at the bottom will have the new schedule for 2008
- Information for landing zone for safety for air medical standard – SW9 on 800 system.

### **AUDIENCE QUESTIONS/COMMENTS**

Angela Ferguson had a question about receiving Hit Confirmation Requests as urgent, but the suspect had not been apprehended. At the bottom of the Request there is a note: Former warrant from agencies, but did not have Subject or whereabouts or location. Chairman Clawson responded that those agencies will be contacted and instructed to send such requests as routine, in accordance with NLETS rules.

Melissa Farthing had a BMV question where she mentioned that the status shows Fraudulent, but the expiration date indicated that the CDL was still active. She had an MRI number for the transaction, but did not understand what to do with that. André Clark responded that he would need at a minimum a MRI number to be able to check the information. He added that this status was put on the file on an individual with a questionable identity for which the BMV had a suspicion. Ms. Farthing asked if they should report any similar statuses and gave an example of two (2) completely opposite people showing under a Social Security Number search and a name and date of birth search. Major Shelton mentioned that a Trooper at the Bremen Post had experienced a similar situation. He said that when the BMV did their upgrades some Social Security Numbers were input incorrectly. Michael Paxton suggested that since that was an IDACS response and that IDACS has a closer working relationship with the BMV Information Technology Division, to send the information to IDACS and they would send it to the BMV.

## **ADJOURNMENT**

There being no further questions or comments, Chairman John Clawson entertained a motion to adjourn the meeting. Michael Paxton motioned and Major Shelton and Ken Wilson seconded the motion. The Chairman adjourned the meeting.

**The next meeting will be held on Wednesday, September 3, 2008 at 10:00 a.m. at: *Indiana State Police Post District 52, 8620 East 21<sup>st</sup> Street, Indianapolis, IN. 46219***

**(This is the new Indianapolis Post in the INDOT building. Parking is available close to the building.)**

**Please note the quarterly meetings will now be held on Wednesdays.**